

derived from leases on lands acquired for military or naval purposes, except the naval petroleum reserves and national oil shale reserves, shall be paid into the Treasury of the United States and disposed of in the same manner as provided under section 35 of the Act of February 25, 1920 (41 Stat. 450; 30 U.S.C. 191), in the case of receipts from sales, bonuses, royalties, and rentals of the public lands under that Act [30 U.S.C. 181 et seq.].

(b) Notwithstanding any other provision of law, any payment to a State under this section shall be made by the Secretary of the Interior and shall be made not later than the last business day of the month following the month in which such moneys or associated reports are received by the Secretary of the Interior, whichever is later. The preceding sentence shall also apply to any payment to a State derived from a lease for mineral resources issued by the Secretary of the Interior under section 520 of title 16. The Secretary shall pay interest to a State on any amount not paid to the State within that time at the rate prescribed under section 1721¹ of this title from the date payment was required to be made under this subsection until the date payment is made.

(Aug. 7, 1947, ch. 513, § 6, 61 Stat. 915; Pub. L. 97-94, § 1, Dec. 17, 1981, 95 Stat. 1205; Pub. L. 102-486, title XXV, § 2506(a), Oct. 24, 1992, 106 Stat. 3106; Pub. L. 103-66, title X, § 10202(a), Aug. 10, 1993, 107 Stat. 408; Pub. L. 107-76, title VII, § 751(e)(2), Nov. 28, 2001, 115 Stat. 739.)

REFERENCES IN TEXT

The Mineral Leasing Act, referred to in subsec. (a), is act Feb. 25, 1920, ch. 85, 41 Stat. 437, as amended, which is classified generally to chapter 3A (§181 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 181 of this title and Tables.

Section 1721 of this title, referred to in subsec. (b), was in the original "section 111 of the Federal Oil and Gas Royalty Management Act of 1982", which enacted section 1721 of this title and amended section 191 of this title.

AMENDMENTS

2001—Subsec. (b). Pub. L. 107-76 inserted after first sentence "The preceding sentence shall also apply to any payment to a State derived from a lease for mineral resources issued by the Secretary of the Interior under section 520 of title 16."

1993—Subsec. (a). Pub. L. 103-66 substituted "Subject to the provisions of section 35(b) of the Mineral Leasing Act (30 U.S.C. 191(b)), all receipts" for "All receipts" in first sentence.

1992—Pub. L. 102-486 designated existing provisions as subsec. (a) and added subsec. (b).

1981—Pub. L. 97-94 inserted provision that all receipts derived from leases on lands acquired for military or naval purposes, except the naval petroleum reserves and national shale oil reserves, be paid into the Treasury of the United States and disposed of in the same manner as provided under section 35 of the Act of February 25, 1920, in the case of receipts from sales, bonuses, royalties, and rentals of the public lands under that Act.

EFFECTIVE DATE OF 1981 AMENDMENT

Section 2 of Pub. L. 97-94 provided that: "The amendment made by the first section of this Act [amending

this section] shall take effect with respect to leases entered into after January 1, 1981."

OUTER CONTINENTAL SHELF; REVENUES FROM LEASES

Disposition of revenues from leases on submerged lands of outer Continental Shelf, see sections 1337(g) and 1338 of Title 43, Public Lands.

§356. Furnishing description of lands and title documents; recordation of documents; authenticated copies

Upon request by the Secretary, the heads of all executive departments, independent establishments, or instrumentalities having jurisdiction over any of the lands referred to in section 351 of this title shall furnish to the Secretary the legal description of all of such lands, and all pertinent abstracts, title papers, and other documents in the possession of such agencies concerning the status of the title of the United States to the mineral deposits that may be found in such lands.

Abstracts, title papers, and other documents furnished to the Secretary under this section shall be recorded promptly in the Bureau of Land Management in such form as the Secretary shall deem adequate for their preservation and use in the administration of this chapter, whereupon the originals shall be returned promptly to the agency from which they were received. Duly authenticated copies of any such abstracts, title papers, or other documents may, however, be furnished to the Secretary, in lieu of the originals, in the discretion of the agency concerned.

(Aug. 7, 1947, ch. 513, § 7, 61 Stat. 915.)

TRANSFER OF FUNCTIONS

See note set out under section 1 of this title.

§357. State or local government rights; taxation

Nothing contained in this chapter shall be construed to affect the rights of the State or other local authorities to exercise any right which they may have with respect to properties covered by leases issued under this chapter, including the right to levy and collect taxes upon improvements, output of mines, or other rights, property, or assets of any lessee of the United States.

(Aug. 7, 1947, ch. 513, § 8, 61 Stat. 915.)

§358. Rights under prior leases; priority of pending applications; exchange of leases

Nothing in this chapter shall affect any rights acquired by any lessee of lands subject to this chapter under the law as it existed prior to August 7, 1947, and such rights shall be governed by the law in effect at the time of their acquisition; but any person qualified to hold a lease who, on August 7, 1947, had pending an application for an oil and gas lease for any lands subject to this chapter which on the date the application was filed was not situated within the known geologic structure of a producing oil or gas field, shall have a preference right over others to a lease of such lands without competitive bidding. Any person holding a lease on lands subject hereto, which lease was issued prior to August 7, 1947, shall be entitled to exchange such lease for a new lease issued under the provisions of this

¹ See References in Text note below.

chapter, at any time prior to the expiration of such existing lease.

(Aug. 7, 1947, ch. 513, §9, 61 Stat. 915.)

OUTER CONTINENTAL SHELF; JURISDICTION OF UNITED STATES; VALIDATION OF PRIOR LEASES

Jurisdiction of United States over outer Continental Shelf, grant of leases on submerged lands thereof, and validation of prior leases, see section 1331 et seq. of Title 43, Public Lands.

§ 359. Rules and regulations

The Secretary of the Interior is authorized to prescribe such rules and regulations as are necessary and appropriate to carry out the purposes of this chapter, which rules and regulations shall be the same as those prescribed under the mineral leasing laws to the extent that they are applicable.

(Aug. 7, 1947, ch. 513, §10, 61 Stat. 915.)

REFERENCES IN TEXT

For definition of “mineral leasing laws”, see section 351 of this title.

TRANSFER OF FUNCTIONS

Functions of Secretary of the Interior to promulgate regulations under this chapter relating to fostering of competition for Federal leases, implementation of alternative bidding systems authorized for award of Federal leases, establishment of diligence requirements for operations conducted on Federal leases, setting of rates for production of Federal leases, and specifying of procedures, terms, and conditions for acquisition and disposition of Federal royalty interests taken in kind, transferred to Secretary of Energy by section 7152(b) of Title 42, The Public Health and Welfare. Section 7152(b) of Title 42 was repealed by Pub. L. 97-100, title II, §201, Dec. 23, 1981, 95 Stat. 1407, and functions of Secretary of Energy returned to Secretary of the Interior. See House Report No. 97-315, pp. 25, 26, Nov. 5, 1981.

§ 360. Authority to manage certain mineral leases

Each department, agency and instrumentality of the United States which administers lands acquired by the United States with one or more existing mineral lease shall transfer to the Secretary of the Interior the authority to administer such lease and to collect all receipts due and payable to the United States under the lease. In the case of lands acquired on or before October 24, 1992, the authority to administer the leases and collect receipts shall be transferred to the Secretary of the Interior as expeditiously as practicable after October 24, 1992. In the case of lands acquired after October 24, 1992, such authority shall be vested with the Secretary at the time of acquisition. The provisions of section 355 of this title shall apply to all receipts derived from such leases where such receipts are due and payable to the United States under the lease in the same manner as such provisions apply to receipts derived from leases issued under the authority of this chapter. For purposes of this section, the term “existing mineral lease” means any lease in existence at the time land is acquired by the United States. Nothing in this section shall be construed to affect the existing surface management authority of any Federal agency.

(Aug. 7, 1947, ch. 513, §11, as added Pub. L. 102-486, title XXV, §2506(b), Oct. 24, 1992, 106 Stat. 3106.)

CHAPTER 8—DEVELOPMENT OF LIGNITE COAL RESOURCES

Sec.

- 401. Establishment of research laboratory; duties.
- 402. Acquisition of lands and property; utilization of voluntary services; cooperation with other Federal, State, and private agencies.
- 403. Repealed.
- 404. Establishment of an advisory committee; composition and appointment.

§ 401. Establishment of research laboratory; duties

The Secretary of the Interior, acting through the United States Bureau of Mines, is authorized and directed to establish, equip, and maintain a research laboratory in the lignite-consuming region of North Dakota to conduct researches and investigations on the mining, preparation, and utilization of lignite coal and to develop new scientific, chemical, and technical uses and new and extended markets and outlets for lignite coal and its products. Such laboratory shall be planned as a center for information and assistance in matters pertaining to conserving lignite coal resources for national defense and security; to the more efficient mining, preparation, and utilization of lignite coal; and pertaining to safety, health, and sanitation in mining operations and other matters relating to problems of the lignite industry.

(Mar. 25, 1948, ch. 146, §1, 62 Stat. 85.)

TRANSFER OF FUNCTIONS

For provisions relating to closure and transfer of functions of the United States Bureau of Mines, see note set out under section 1 of this title.

APPROPRIATIONS

Section 5 of act Mar. 25, 1948, provided that: “In order to carry out the purposes of this Act [enacting this chapter] there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of (a) \$750,000 for the erection and equipment of a building or buildings, including plumbing, lighting, heating, general service, and experimental equipment and apparatus, the necessary roads, walks, and ground improvement, and land for the site of the building if no land is donated; and (b) \$250,000 annually for the maintenance and operation of the experimental station, including personal services, supplies, equipment, and expenses of travel and subsistence.”

§ 402. Acquisition of lands and property; utilization of voluntary services; cooperation with other Federal, State, and private agencies

For the purpose of this chapter the Secretary, acting through the United States Bureau of Mines, is authorized to acquire land and interests therein, and to accept in the name of the United States donations of any property, real or personal, and to utilize voluntary or uncompensated services at such laboratory. The Secretary is authorized and directed to cooperate with other departments or agencies of the Federal Government, States, and State agencies and institutions, counties, municipalities, business or other organizations, corporations, associations, universities, scientific societies, and individuals, upon such terms and conditions as he may prescribe.

(Mar. 25, 1948, ch. 146, §2, 62 Stat. 85.)